

JERRY A. ALLEN	§	
v.	§	CIVIL ACTION NO. 6:08cv482
KEVIN R. WHEAT, ET AL.	§	

The Plaintiff Jerry Allen filed this civil rights lawsuit complaining of alleged deprivations of his constitutional rights. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Allen filed objections to the Report on August 31, 2009, arguing that he is in constant danger, he cannot safely be housed on any unit in the Texas prison system, and that “irreparable harm

and injury has transpired and continues to proceed in a stressful manner.” He says that without a court order, he will continue to be assaulted, threatened, coerced, extorted, or forced to do what gang members want, even though he now has a U.S. Senator monitoring him. Allen does not address the Magistrate Judge’s conclusion that he failed to show a substantial likelihood of success on the merits of his claims or that the persons against whom the injunction is sought are not parties to the case or in privity with the parties in the case. His objections are without merit.

The Court has conducted a careful *de novo* review of the pleadings in this cause, including the Plaintiff’s motion for injunctive relief and exhibits, the Report of the Magistrate Judge, and the Plaintiff’s objections thereto. Upon such *de novo* review, the Court has concluded that the Report of the Magistrate Judge is correct and that the Plaintiff’s objections are without merit. It is accordingly

ORDERED that the Plaintiff’s objections are overruled and that the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the Plaintiff’s motion for injunctive relief (docket no. 11) is hereby DENIED. It is further

ORDERED that the Plaintiff’s motion for a hearing on his request for injunctive relief (docket no. 20) is DENIED as moot.

**So ORDERED and SIGNED this 23rd day of September, 2009.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**